

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Babicki et al.

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CERTIFICATE OF MAILING

2004 JUN 16 AM 11:12

Application No. 10/021,751

Filed: December 11, 2001

Confirmation No. 6240

For: PSA WITH ADSORBENTS SENSITIVE  
TO CONTAMINANTS

Examiner: Frank M. Lawrence, Jr.

Art Unit: 1724

Attorney Reference No. 6454-61583-01

JUN 1 8 2004

OFFICE OF PETITIONS

I hereby certify that this paper and the documents referred to as being attached or enclosed herewith are being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450 on the date shown below.

Attorney  
for Applicant(s)

*Wayne W. Rupert*

Date Mailed June 11, 2004

COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450

TRANSMITTAL LETTER

Enclosed for filing in the application referenced above are the following:

- ☒ Notification of Error in Small Entity Status - (37 C.F.R. § 1.28(c)).
  - ☒ Itemization of the Deficiency Payment -- 37 C.F.R. § 1.28(c)(2)(ii)).
  - ☒ Error Fee of \$3513.00.
- ☒ A check in the amount of \$3513.00 to cover the above-listed fees
- ☒ The Director is hereby authorized to charge any additional fees that may be required, or credit over-payment, to Deposit Account No. 02-4550. A copy of this sheet is enclosed.
- ☒ Please return the enclosed postcard to confirm that the items listed above have been received.

Respectfully submitted,

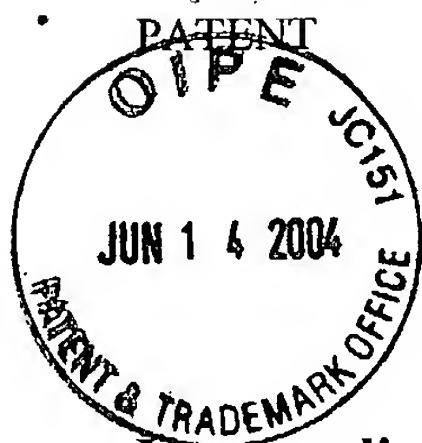
KLARQUIST SPARKMAN, LLP

By *Wayne W. Rupert*  
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Telephone: (503) 226-7391  
Facsimile: (503) 228-9446

cc: Docketing

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Attorney Reference Number 6454-61583-01  
Application Number 10/021,751DAC/4/  
PATENT TRIAL & TRIBUNAL  
DIVISION

JUN 18 2004

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Attorney  
for Applicant(s)

Date Mailed June 11, 2004

07/08/2004 AKELLEY 00000009 024550 10021751

COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450

Adjustment date: 07/08/2004 AKELLEY  
12/21/2001 AOSHAN1 00000032 10021751

01 FC:201 -370.00 OP  
02 FC:202 -1008.00 OP  
03 FC:203 -1242.00 OP

Adjustment date: 07/08/2004 AKELLEY  
04/02/2002 HBERHE 00000048 10021751

01 FC:205 -65.00 OP

Adjustment date: 07/08/2004 AKELLEY

01/14/2003 AHONDAF1 00000001 10021751

01 FC:2251 -55.00 OP

01 FC:1001  
02 FC:1201  
03 FC:1202  
04 FC:1051  
05 FC:1251  
06 FC:1253  
07 FC:1252

770.00 OP  
2064.00 OP  
2484.00 OP  
130.00 OP  
110.00 OP  
950.00 OP  
210.00 OP

210.00 DA

### NOTIFICATION OF ERROR IN SMALL ENTITY STATUS - (37 C.F.R. § 1.28(c))

Based on the facts recited above, if the USPTO determines that small entity status in good faith for the above-referenced patent

application. Recently, however, Applicants discovered that small entity status may have been established in error. Inventors Alberto I. LaCava and Frank R. Fitch likely had a duty to assign their rights in the invention to the BOC Group, Inc., which is a large entity. An actual assignment from inventors Alberto I. LaCava and Frank R. Fitch to BOC was recorded with the

Adjustment date: 07/08/2004 AKELLEY  
06/18/2004 KKEHP1 00000004 10021751  
01 FC:1461 -3513.00 OP

Adjustment date: 07/08/2004 AKELLEY

08/26/2003 KBETEHA1 00000054 10021751

01 FC:2253 -465.00 OP

Adjustment date: 07/08/2004 AKELLEY

03/22/2004 VDAY11 00000001 024550 10021751

01 FC:2252 -210.00 CR

Based on the facts recited above, if the USPTO determines that small entity fees were paid in error during the prosecution of this application, this paper serves as deficiency paper

under 37 C.F.R. § 1.28(c) and a notification of a loss of entitlement to small entity status under

37 C.F.R. § 1.27(g)(2). Applicants enclose a check for \$3513.00 to pay the deficiency owed

06/18/2004 KKEHP1 00000004 10021751  
01 FC:1461 -3513.00 OP

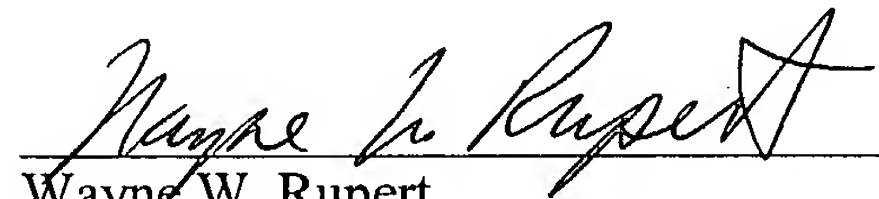
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under 37 C.F.R. § 1.28(c)(2). Applicants also grant the Director authority to charge additional fees that may be required, or to credit over-payment, to Deposit Account No. 02-4550. Attached is an itemization of the deficiency payment, as required by 37 C.F.R. § 1.28(c)(2)(ii).

Respectfully submitted,

KLARQUIST SPARKMAN, LLP

By

  
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**ITEMIZATION OF THE DEFICIENCY  
PAYMENT - (37 C.F.R. § 1.28(c)(2)(ii))**

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Type of Fee	Current Fee Amount for a Large Entity	Small Entity Fee Actually Paid	Date of Payment	Deficiency Owed
Basic Filing Fee - Utility	\$770	\$370	12/11/2001	\$400
Claims in Excess of 20 (x138)	\$2484	\$1242	12/11/2001	\$1242
Independent Claims in Excess of 3 (x24)	\$2064	\$1008	12/11/2001	\$1056
Recording Patent Assignment	\$40	\$40	3/20/2002	\$0
Surcharge - Late Filing Fee or Oath or Declaration	\$130	\$65	3/30/2002	\$65
Extension for Response Within First Month	\$110	\$55	1/6/2003	\$55
Extension for Response Within Third Month	\$950	\$465	8/20/2003	\$485
Recording Patent Assignment	\$40	\$40	2/18/2004	\$0
Second Extension for Amendment After Final	\$420	\$210	3/15/2004	\$210
Recording Patent Assignment	\$40	\$40	5/14/2004	\$0
Processing Fee - Adding Inventor	\$130	\$130	5/14/2004	\$0

**Total Deficiency Payment Owed = \$3513.00**

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